

## Message Text

UNCLASSIFIED

PAGE 01 MANILA 20234 270329Z  
ACTION L-03

INFO OCT-01 EA-12 ISO-00 JUSE-00 VA-01 SCS-06 CA-01  
/024 W

-----013801 270338Z /72

R 270311Z DEC 77  
FM AMEMBASSY MANILA  
TO SECSTATE WASHDC 9650

UNCLAS MANILA 20234

DEPT. PASS TO: USVA/GENERAL COUNSEL  
DEPT. OF JUSTICE/FOREIGN CIVIL LITIGATION UNIT

E.O. 11652: NA  
TAGS: ACLAM, CPRS  
SUBJ: CIVIL CASE AGAINST USVA EMPLOYEES,  
PERALTA VS. PRICE ET AL.

REF: (A) MANILA 19895, (B) STATE 306709

1. NOTE PROPOSED IN REF A AS MODIFIED BY REF B SENT TO  
DFA 27 DECEMBER WITH INFORMATION COPY TO COURT.

2. AS REVISED, PARAGRAPH 6 READS: QUOTE:  
FINALLY, IT SHOULD BE NOTED THAT THE INDIVIDUALLY  
NAMED DEFENDANTS ARE IMMUNE FROM SUITS OF THIS KIND PURSUANT  
TO THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS AND  
ACCEPTED PRACTICE IN INTERNATIONAL LAW. MR. PRICE HOLDS  
THE RANK AND TITLE OF ATTACHE FOR VETERANS AFFAIRS AND  
IS A DIPLOMATIC AGENT WITHIN THE MEANING OF ARTICLE 31  
OF THE CONVENTION. AS ADJUDICATION OFFICERS, MISTER  
MILLER AND MISTER BROCKMAN ARE MEMBERS OF THE ADMINI-  
STRATIVE AND TECHNICAL STAFF OF THE MISSION WITHIN THE  
MEANING OF ARTICLE 37 OF THE CONVENTION. AS A FIELD  
EXAMINER, MR. SOLANO IS ALSO A MEMBER OF THE MISSION  
STAFF AGAINST WHOM A SUIT OF THIS KIND WOULD CLEARLY  
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CONSTITUTE AN UNDUE INTERFERENCE WITH THE PERFORMANCE  
OF THE FUNCTIONS OF THE MISSION IMPERMISSIBLE UNDER  
ARTICLE 38 OF THE CONVENTION. UNQUOTE  
NEWSOM

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
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**Channel Indicators:** n/a  
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**Concepts:** PROPERTY PROTECTION  
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**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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**Enclosure:** n/a  
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**Errors:** N/A  
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**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009